

REMARKS

Claims 30 and 53 have been amended. Thus, claims 30-51, 53 and 54 are pending in the present application. Support for the amendment to claim 30 may be found in the specification (PCT publication) at page 23, line 15 to page 24, line 18. The amendment to claim 53 is solely to remove an erroneous comma. Thus, no new matter has been added. Reconsideration and withdrawal of the present rejection in view of the comments presented herein are respectfully requested.

Rejection under 35 U.S.C. § 112, second paragraph

Claims 30-51, 53 and 54 were rejected under U.S.C. § 112, second paragraph as allegedly being indefinite. The Examiner noted that it was not clear from the claim language whether a single optical fiber from the plurality of optical fibers transmits and receives light, and suggested recitation of “wherein the optical fibers when in use are employed as transmitters or receivers.” Claim 30 as amended recites the language suggested by the Examiner.

In view of the comments presented above, Applicants respectfully request reconsideration and withdrawal of the rejection under 35 U.S.C. § 112, second paragraph.

No Disclaimers or Disavowals

Although the present communication may include alterations to the application or claims, or characterizations of claim scope or referenced art, Applicant is not conceding in this application that previously pending claims are not patentable over the cited references. Rather, any alterations or characterizations are being made to facilitate expeditious prosecution of this application. Applicant reserves the right to pursue at a later date any previously pending or other broader or narrower claims that capture any subject matter supported by the present disclosure, including subject matter found to be specifically disclaimed herein or by any prior prosecution. Accordingly, reviewers of this or any parent, child or related prosecution history shall not reasonably infer that Applicant has made any disclaimers or disavowals of any subject matter supported by the present application.

Co-Pending Applications of Assignee

Applicant wishes to draw the Examiner's attention to the following co-pending applications of the present application's assignee.

| Docket No. | Serial No. | Title | Filed |
|-------------------|-------------------|---|-------------------|
| KRAH2.001APC | 12/377,595 | SYSTEM AND METHOD FOR CONTROLLING AND ADJUSTING INTERSTITIAL PHOTODYNAMIC LIGHT THERAPY PARAMETERS | October 29, 2010 |
| KRAH2.001CP1 | 12/836,947 | SYSTEM AND METHOD FOR PRE-TREATMENT PLANNING OF PHOTODYNAMIC LIGHT THERAPY | July 14, 2010 |
| KRAH2.003APC | 10/556,522 | SYSTEM AND METHOD FOR THERAPY AND DIAGNOSIS COMPRISING OPTICAL COMPONENTS FOR DISTRIBUTION OF RADIATION | October 2, 2006 |
| KRAH2.005APC | 12/664,046 | SYSTEM AND METHOD FOR OPTICAL TOMOGRAPHY FEEDBACK CONTROL OF DOSIMETRY FOR PHOTODYNAMIC THERAPY (PDT) | December 10, 2009 |

CONCLUSION

In the Office Action at page 2, the Examiner stated that claims 30-51, 53 and 54 would be allowable if rewritten or amended to overcome the above rejection under 35 U.S.C. § 112, second paragraph. Since claim 30 has been amended according to the Examiner's suggestion, claims 30-51, 53 and 54 should now be allowable. However, if minor matters remain, the Examiner is invited to contact the undersigned at the telephone number provided below. If any additional fees are required, please charge these to Deposit Account No. 11-1410. Should there be any questions concerning this application, the Examiner is respectfully invited to contact the undersigned at the telephone number appearing below.

Appl. No.: 10/556,806
Filing Date: October 2, 2006

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: December 15, 2010

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